



09-05-07

AF/IFW

PTO/SB/21 (04-07)

Approved for use through 09/30/2007. OMB 0651-0031

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

| | |
|------------------------|---------------------------|
| Application Number | 10/693,315-Conf. #1495 |
| Filing Date | October 24, 2003 |
| First Named Inventor | Takao ABE |
| Art Unit | 1624 |
| Examiner Name | M. L. Berch |
| Attorney Docket Number | AM100905P1 (36119.227US1) |

ENCLOSURES (Check all that apply)

| | | |
|---|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Receipt Postcard Form SB08 5 References Certificate of Express Mailing |
| Remarks | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|--------------|---|----------|--------|
| Firm Name | WILMER CUTLER PICKERING HALE AND DORR LLP | | |
| Signature | | | |
| Printed name | Monica A. Kolinsky | | |
| Date | September 4, 2007 | Reg. No. | 58,336 |

Express Mail Label No. EM 086873776 US Dated: September 4, 2007



Application No. (if known): 10/693,315

Attorney Docket No.: AM100905P1 (36119.227US1)

Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. EM 086873776 US in an envelope addressed to:

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IDS (Citation) by Applicant (5 References) (1 page)
Information Disclosure Statement (2 pages)
5 References
Transmittal (1 page)
Fee Transmittal (1 page)
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PTO/SB/17 (07-07)

Approved for use through 06/30/2010. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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| | | | |
|---|--|--------------------------|----------------------------|
| Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). FEE TRANSMITTAL For FY 2007 | | Complete if Known | |
| | | Application Number | 10/693,315-Conf. #1495 |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27 | | Filing Date | October 24, 2003 |
| | | First Named Inventor | Takao ABE |
| | | Examiner Name | M. L. Berch |
| | | Art Unit | 1624 |
| TOTAL AMOUNT OF PAYMENT | | Attorney Docket No. | AM 100905P1 (36119.227US1) |
| (\$) | | 180.00 | |

METHOD OF PAYMENT (check all that apply)

| | | | | |
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| <input checked="" type="checkbox"/> Deposit Account | Deposit Account Number: 08-0219 | | Deposit Account Name: Wilmer Cutler Pickering Hale and | |
| For the above-identified deposit account, the Director is hereby authorized to: (check all that apply) | | | | |
| <input checked="" type="checkbox"/> Charge fee(s) indicated below | <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee | | | |
| <input checked="" type="checkbox"/> Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 | <input checked="" type="checkbox"/> Credit any overpayments | | | |

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

| Application Type | FILING FEES | | SEARCH FEES | | EXAMINATION FEES | | Fees Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
| | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | |
| Utility | 300 | 150 | 500 | 250 | 200 | 100 | |
| Design | 200 | 100 | 100 | 50 | 130 | 65 | |
| Plant | 200 | 100 | 300 | 150 | 160 | 80 | |
| Reissue | 300 | 150 | 500 | 250 | 600 | 300 | |
| Provisional | 200 | 100 | 0 | 0 | 0 | 0 | |

2. EXCESS CLAIM FEES

| Fee Description | Fee (\$) | Small Entity Fee (\$) |
|--|----------|-----------------------|
| Each claim over 20 (including Reissues) | 50 | 25 |
| Each independent claim over 3 (including Reissues) | 200 | 100 |
| Multiple dependent claims | 360 | 180 |

| | | | |
|---------------------|---------------------|-----------------|----------------------|
| <u>Total Claims</u> | <u>Extra Claims</u> | <u>Fee (\$)</u> | <u>Fee Paid (\$)</u> |
| _____ | _____ | _____ x _____ = | _____ |

HP = highest number of total claims paid for, if greater than 20.

| | | | |
|----------------------|---------------------|-----------------|----------------------|
| <u>Indep. Claims</u> | <u>Extra Claims</u> | <u>Fee (\$)</u> | <u>Fee Paid (\$)</u> |
| _____ | _____ | _____ x _____ = | _____ |

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| | | | | |
|---------------------|---------------------|---|-----------------|----------------------|
| <u>Total Sheets</u> | <u>Extra Sheets</u> | <u>Number of each additional 50 or fraction thereof</u> | <u>Fee (\$)</u> | <u>Fee Paid (\$)</u> |
| _____ | _____ | _____ / 50 = _____ (round up to a whole number) x _____ = | _____ | _____ |

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): 1806 Submission of an Information Disclosure Statement 180.00

| | | | |
|---------------------|--------------------|-----------------------------------|-------------------|
| SUBMITTED BY | | | |
| Signature | | Registration No. (Attorney/Agent) | 58,336 |
| Name (Print/Type) | Monica A. Kolinsky | Telephone | (212) 230-8800 |
| | | Date | September 4, 2007 |



Express Mail Label No. EM 086873776 US Dated: September 4, 2007

Docket No.: AM100905P1 (36119.227US1)
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|------------------|---|-------------------|-------------|
| Applicant: | Takao Abe | Confirmation No.: | 1495 |
| Application No.: | 10/693,315 | Art Unit: | 1624 |
| Filed: | October 24, 2003 | Examiner: | M. L. Berch |
| Title: | PROCESS FOR PREPARING 6-ALKYLIDENE PENEM DERIVATIVES | | |

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P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Applicants believe that References BA-BC and CA-CB contained in the Information Disclosure Statement were first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing date of this Information Disclosure Statement.

Enclosed please find a copy of the Chilean Search Report corresponding to Chilean Application 849-2003, mailed on June 3, 2007.

Applicants request that the Examiner initial and return a copy of the enclosed Form PTO SB-08 with the next communication.

09/05/2007 HDESTA1 00000118 080219 10693315
01 FC:1806 180.00 DA

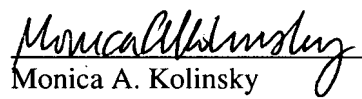
Application No.: 10/693,315

Docket No.: **AM100905P1** (36119.227US1)

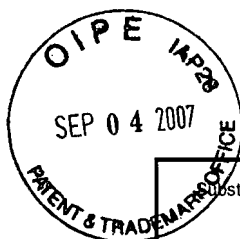
Applicant believes a \$180.00 fee is due with this response. Please charge the fee to our Deposit Account No. 08-0219.

Respectfully submitted,

Dated: September 4, 2007


Monica A. Kolinsky
Registration No.: 58,336

Wilmer Cutler Pickering Hale and Dorr LLP
399 Park Avenue
New York, New York 10022
(212) 230-8800 (telephone)
(212) 230-8888 (facsimile)



Used in Lieu of PTO/SB/08A/B
(Based on PTO 04-07 version)

| | | | | | |
|---|---|----|---|--------------------------|----------------------------|
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary) | | | | Complete if Known | |
| | | | | Application Number | 10/693,315-Conf. #1495 |
| | | | | Filing Date | October 24, 2003 |
| | | | | First Named Inventor | Takao ABE |
| | | | | Art Unit | 1624 |
| | | | | Examiner Name | M. L. Berch |
| Sheet | 1 | of | 1 | Attorney Docket Number | AM100905P1 (36119.227 US1) |

| U.S. PATENT DOCUMENTS | | | | | |
|-----------------------|-----------------------|---|--------------------------------|--|---|
| Examiner Initials* | Cite No. ¹ | Document Number Number-Kind Code ² (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | | | | |

| FOREIGN PATENT DOCUMENTS | | | | | | |
|--------------------------|-----------------------|--|--------------------------------|--|---|----------------|
| Examiner Initials* | Cite No. ¹ | Foreign Patent Document Country Code ³ -Number ⁴ -Kind Code ⁵ (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear | T ⁶ |
| | BA | CL-683-84 | 01-16-1984 | Pfizer Inc. | | |
| | BB | CL-153-92 | 02-19-1992 | Glaxo SPA | | |
| | BC | CL-288-88 | 04-27-1998 | Pfizer Inc. | | |

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

| NON PATENT LITERATURE DOCUMENTS | | | |
|---------------------------------|-----------------------|---|----------------|
| Examiner Initials | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
| | CA | Chilean Search Authority, Chilean Search Report for Application 849-2003, mailed June 3, 2007 | |
| | CB | OSBORNE, et al., "Synthesis of (5R)-(Z)-6-(1-Methyl-1,2,3-triazol-4-ylmethylene)-penem-3-carboxylic Acid, a Potent Broad Spectrum β -Lactamase Inhibitor, from 6-Aminopenicillanic Acid", J. Chem. Soc. Perkin Trans., pp. 179-188 (1994) | |

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

| | | | |
|--------------------|--|-----------------|--|
| Examiner Signature | | Date Considered | |
|--------------------|--|-----------------|--|